

(Mr. LIPINSKI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. BASS) is recognized for 5 minutes.

(Mr. BASS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### TRIBUTE TO AMERICA'S VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. RYAN) is recognized for 5 minutes.

Mr. RYAN of Wisconsin. Mr. Speaker, it is very fitting that I think this follows up after the tribute to George Brown, who was a veteran here for our country, because Thursday is Veterans Day. And Veterans Day is a day to honor great sacrifices, celebrate heroic victories, and it serves as a reminder that the daily freedoms many of us too often take for granted came at a very painful price.

It is a day of national respect and reflection that serves as an annual reminder that we can never forget those who have allowed us to enjoy that which we have today. More than ever, we must rededicate ourselves to honor the lives and memories of those who served, fought, and too often died.

Quote:

With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan, to do all which may achieve and cherish a just, and lasting peace, among ourselves, and with all nations.

Mr. Speaker, these words were taken from President Abraham Lincoln's second inaugural address and sadly read again just two months later over this author's grave.

The excerpt "to care for him who shall have borne the battle, and for his widow, and his orphan," are now etched in stone on the plaque of the Veterans Administration Building in Washington, D.C., reminding us of the debt we owe to those who have defended our Nation in times of both war and peace.

From the smallest Wisconsin communities to the largest cities throughout our Nation, we have been blessed by those individuals who set aside their own aspirations to serve their country in defense of freedom and liberty.

Our duty is not only to ensure that parades take place, that heartfelt

words of thanks are offered, nor is it only to fly our Nation's flag in honor of their service. It is more. It is our duty to care for the soldier and his dependents who continue to bear the effects of battle.

In our history, more than one million American men and women have died in defense of our Nation. It is staggering.

If these now silent patriots have taught us anything, it is that, because of the men and women who are willing to sacrifice their last blood and breath, the United States remains a symbol of freedom in a country whose ideas are still worth defending. Our veterans are the national heroes who define our American heritage.

Yet, in the spirit of our great Nation, they are unassuming heroes. They did not seek glory or praise. Their deeds will never be chronicled sufficient to their service. In large part, they were not people discontinued for military careers or tested in battle. They have largely been ordinary men and women who have accomplished extraordinary deeds.

We should ever be thankful that, for over 200 years, individuals of each generation, many from my own family, had been willing to put on uniforms and answer the call of their country, that they had been willing to risk their all to allow their children and grandchildren the opportunity to live in peace.

I would like to take this opportunity to single out just a few of the thousands of veterans I am so fortunate enough to represent. Veterans and other civic organizations in the district I represent, the First District of Wisconsin, recently nominated some of their members to be recognized and I am proud to also recognize their contributions here today on the floor of the House of Representatives.

Today, among the thousands I would like to recognize, are these men:

Frank Onti of Walworth, from the U.S. Navy; John Cameron of Mukwonago, from the U.S. Army; James Schmidt of Burlington, from the U.S. Navy; Dale Roenneberg of Brodhead, from the U.S. Army; Franklyn Condon of Brodhead, from the U.S. Army; Jack Frawley of White-water, from the U.S. Marine Corps; Edward DeGroot of Racine, from the U.S. Army; John Kreidler of East Troy, from the U.S. Army; Raymond Lewis, Jr., of Racine, from the U.S. Army; Robert Engstrom of Janesville, from the U.S. Army; Everett Shumway of Edgerton, from the U.S. Navy; Dan Ponder of Elkhorn, from the U.S. Army; Warren Welkos of Elkhorn, from the U.S. Marine Corps; John Tueting of Elkhorn, from the U.S. Marine Corps; Mario Maritato, a great guy, I know Mario very well, really a true hero in southern Wisconsin, of Somers, from the U.S. Marine Corps; Robert Flint of Kenosha, from the Marine Corps; Ted Dvorak, another great guy, of Kenosha, from the U.S. Navy; Cloren Meade of Beloit, from the U.S. Army Air Corps;

and Arthur Gibbs of Beloit, from the U.S. Army.

How might we best recognize these American heroes, these who came from southern Wisconsin? We should pause to give them thanks for safeguarding our liberties. We should pledge to carry out the civic responsibilities of citizens living in a free country. And we should exercise those loyalties by demonstrating our respect for both our living veterans and those in their final resting places.

Mr. Speaker, it is so little to ask of us when they have given so much.

#### HMO'S NEED ACCOUNTABILITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, I appreciate the comments of my colleague from Wisconsin. I agree that, hopefully, we will all be out tomorrow evening so we can go home and celebrate our Veterans Day programs in our districts and honor our veterans because of their commitment to our country and our freedoms.

I am here tonight to talk about an amazing announcement today that literally made the headlines on newspapers all over the country.

What do the American people mostly Democrats and also a significant amount of Republican Members know that the Republican leadership does not seem to know? Well, that is an open-ended question and it may take more than my 5 minutes to answer, but I will do it as best I can.

We want doctors and patients, and not HMO bureaucrats, to make the medical decisions. Today one of the Nation's largest HMOs, United Health Group, took the first step in recognizing the error of their ways. They decided they would no longer review each treatment recommendation made by a physician.

With the active support of the American people and the HMO reform conference committee, hopefully this will just be the first company that will do that and will proceed to have some real true HMO reform.

One company in the insurance business recognized what Democrats and the American people have known for years is that the most qualified people to make medical treatment decisions are the patients and doctors who know the details of that specific case.

Before we claim victory, we have to recognize that this is only a first step and in some ways a very small step.

Instead of reviewing the cases as they come in, the United Health Care has decided to review their physicians once a year. This is much better, but it still raises some concerns. One of the problems can be, that in reviewing a doctor's treatment decisions in this manner, it may be nearly impossible to determine the case each doctor has and whether there is specific reason such as

treating a high-risk patient or children that led the doctor to prescribe more tests than another doctor.

Again, this is a first step and a good step, but we still have got a long way to go. Other HMOs need to follow United's lead and every HMO, including United, needs to commit to leaving medical treatment decisions to the doctors and the patients without interference.

This recent decision by United raises the broader question of HMO reform and whether it is still necessary if other HMOs follow United's lead. The short answer is yes. The truth is that most HMOs are good. Managed care is created to take the ever increasing cost out of health care. But what we have seen is that not only have they taken the cost out up until this year, but they have also taken the quality out.

According to United, they approved 99 percent of the claims that their doctors had recommended. So what they found out is that they created a bureaucracy that they were paying for, that they approved those claims.

What is so important is that the patients' bill of rights that this House passed on a very bipartisan vote is still needed to protect the population who find themselves in an HMO that may not be as responsive as United is or as realistic as United that actually looked at it and said, hey, it is not cost effective to continue to do this.

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As long as the industry continues to operate in their unregulated vacuum, these nonresponsive HMOs will continue to pop up and take advantage of the unsuspecting consumers. The scariest part of this scenario is that these unsuspecting consumers will not know that they are in such an HMO until it is too late. There are a lot of laws in this country that are designed to protect the majority from a small percentage of offenders. Most of us would not think of taking money from a person in return for a service but then when they come to collect what they paid for, deny, or worse in some cases, even delay that service. But the HMOs accept the premiums from consumers, but then deny or delay benefits in the hope that the consumer, who is really now the patient, will just give up and go away. They need to be held accountable for these deplorable actions.

I have an example of a constituent in my district. If you are familiar with Houston, she lives in the north part of Harris County. She had an appointment with a specialist in her neighborhood near Intercontinental Airport in the Humble area twice and it was canceled by her HMO. Finally they assigned her to a specialist across town. She said it was just difficult for her to be able to have family take her across town when literally there was a hospital complex that was so close she could get to. Again, it was delayed twice and ultimately could be denied

because of transferring her to a specialist across town.

No other industry enjoys the protection that the HMO industry does from Federal law under the ERISA act. With this shield they are able to ignore the needs of their patients and they are held accountable to nobody. What I hope we would do as a Congress would be to respond and hopefully the HMO conference committee that we have will be responsive, Mr. Speaker.

The SPEAKER pro tempore (Mr. TOOMEY). Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes. (Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. LEE) is recognized for 5 minutes.

(Ms. LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. MINGE) is recognized for 5 minutes.

(Mr. MINGE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FOSSELLA) is recognized for 5 minutes.

(Mr. FOSSELLA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. GOODLATTE) is recognized for 5 minutes.

(Mr. GOODLATTE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### TIME FOR CONGRESS TO CLARIFY SCOPE OF EXECUTIVE AUTHORITY

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, there has been increasing controversy over executive orders and presidential proclamations since President Franklin Roosevelt's administration. The recent comments of President Clinton's aide, John Podesta, in U.S. News and World Report, give us even more reason to be concerned. Mr. Podesta, in a moment of explicit candor, outlines the President's plan to issue a whole series of executive orders and changes to Federal rules without consulting Congress.

Mr. Podesta goes further, saying, "There is a pretty wide sweep of things we're looking to do and we're going to be very aggressive in pursuing it." That is the Podesta Plan.

Mr. Speaker, I am here today to issue a dire warning. There is a "culture of deference" in this Congress, and if we do not address this issue of executive lawmaking, it is a violation of our own oath of office. I am most deeply concerned about the Podesta Plan, to use executive orders and other presidential directives to implement the President's agenda without the consent of Congress. Executive lawmaking is a violation of the Constitution. Article I states that all legislative powers shall be vested in the Congress.

Sadly, Congress should not be surprised that this President's frustrated staff is trying to bypass Congress. We have seen this before. When the President issued his executive order on striker replacements, he attempted to do what had been denied him by the legal legislative process. The same was true when the President issued his proclamation establishing a national monument in Utah, a sovereign State.

Mr. Speaker, the framers expected national policy to be the result of open and full debate, hammered out by the legislative and executive branches. They believed in careful deliberation, conducted in a representative assembly, subject to all the checks and balances that characterize our constitutional system. Having broken with England in 1776, the founders rejected government by monarchy and one-man rule. Nowhere in the Constitution is the President specifically given the authority to issue these directives.

In the legislative veto decision of 1983, *INS v. Chadha*, the Supreme Court insisted that congressional power be exercised "in accord with a single, finely wrought and exhaustively considered, procedure." The Court said that the records of the Philadelphia Convention and the State ratification debates provide "unmistakable expression of a determination that legislation by the national Congress be a step-by-step, deliberate and deliberative process."

If Congress is required to follow this rigorous process, how absurd it is to argue that a President can accomplish the same result by unilaterally issuing an executive order. Of course he cannot. The President's controversial use of presidential directives skirt the constitutional process, offend the values